

BEFORE THE INVESTIGATIVE PANEL OF THE  
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE NO. 03-119  
RE: JUDGE DAVID M. GOODING

**NOTICE OF FORMAL CHARGES**

TO: The Honorable David M. Gooding  
Circuit Court Judge  
Duval County Courthouse  
330 East Bay Street, Suite 356  
Jacksonville, Florida 32202-2937

You are hereby notified that the Investigative Panel of the Florida Judicial Qualifications Commission, by a unanimous vote of its members, pursuant to a meeting held in Tampa, Florida on December 12, 2003 pursuant to Rule 6(f) of the Rules of the Florida Judicial Qualifications Commission, as revised, and Article V, § 12(b) of the Constitution of the State of Florida, has determined that probable cause exists for formal proceedings to be, and the same are hereby instituted against you to inquire into charges based upon allegations that during your 2002 election campaign for the judgeship you now occupy (the campaign), you engaged in improper conduct to wit:

1. During the campaign, you incurred campaign expenses at a time when your campaign account did not have sufficient funds to cover those expenses in violation of § 106.11, Florida Statutes, in violation of Canons 1, 2, 6B and 7.

2. After the campaign, you loaned to your campaign substantial sums and deposited such funds in your campaign account after the deadline for depositing money

into that account in violation of § 106.08, Florida Statutes, in violation of Canons 1,2, 6B and 7.

3. During the campaign, you knowingly misrepresented your opponent's experience and qualifications by, inter alia, representing that your opponent had overestimated his courtroom experience by "88.5%" in violation of Canon 7 of the Code of Judicial Conduct.

4. During the campaign, you knowingly misrepresented your opponent's ownership and the condition of certain rental properties in Clearwater and Lakeland, Florida, by, among other statements distributing an inherently misleading flyer which appeared to be a newspaper article from the "Jacksonville Eagle" though no such publication existed, which effectively labeled your opponent as a "slumlord" and falsely described the rental properties as "slum-like" and "blighted," all in violation of Canon 7 of the Code of Judicial Conduct.

These acts, if they occurred as alleged, would impair the confidence of the citizens of this state in the integrity of the judicial system and in you as a judge, would constitute violations of the cited Florida Statutes and Canons of the Code of Judicial Conduct, would demonstrate your unfitness to hold the office of judge, and would warrant discipline, including but not limited to your removal from office and/or any other appropriate discipline recommended by the Florida Judicial Qualifications Commission.

You are hereby notified of your right to file a written answer to the above charges made against you within twenty (20) days of service of this notice upon you.

The original of your response and all subsequent pleadings must be filed with the Clerk of the Supreme Court of Florida, and you must also comply with the requirements of

the Supreme Court of Florida requiring simultaneous filing of a DOS formatted three and one-half diskette in Word Perfect 5.1 (or higher) format.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **Notice of Formal Charges** has been furnished by U.S. Mail to **Rutledge R. Liles, Esquire**, Liles Gavin & Costantino, 225 Water Street, Suite 1500, Jacksonville, Florida 32202-5148, Attorney for Judge Gooding, this \_\_\_\_ day of February 2004.

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Attorney